

REMARKS

In the Office Action dated March 28, 2006, pending claims 1-7, 9, 10, and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Applicant appreciates the Examiner's indication that claims 22-24 are allowed and that claims 1-7, 8-10, 12, 14-17, and 19-21 would be allowable if amended to overcome the rejections in the Office Action.

Arguments in Response to 35 U.S.C. §112 Rejection:

Pending claims 1-7, 9, 10, and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. In particular, the Office Action provides that in claims 1 and 14 it is unclear how the edge of the front panel section is coplanar with the edge of the second planar structure. Applicant amends claims 1 and 14 to clarify that the tabs are aligned with the edge of the front panel. Applicant, therefore, respectfully requests withdrawal of the rejection of claims 1 and 14, and respectfully requests indication that such claims are allowable.

The Office Action further provides that in claims 1 and 20 it is unclear if the Applicant is positively claiming the tire combination with the insert. As it is not Applicant's intent to positively claim the tire combination with the insert in claims 1 and 20, Applicant amends claims 1 and 20 in an attempt to not positively recite the tire. Applicant respectfully requests withdrawal of this rejection and respectfully requests indication that claims 1 and 20 are allowable.

The Office Action provides that in claim 5 the phrases “the length of said flute for said front panel section” and “the length of said flute of said back panel section” lacks antecedent basis. Applicant amends claim 5 to correct this antecedent basis problems. Withdrawal of this rejection is, therefore, respectfully requested.

The Office Action provides that in claim 10 it is unclear how the pocket is attached to both the front panel section and the back panel section. Applicant amends claim 10 to clarify that the pocket is attachable to the front panel section in an assembled state or attached to the back panel section in an unassembled state. For a more detailed description of this feature, Applicant respectfully requests the Examiner review paragraph [0038] of the specification of the present application. Applicant, therefore, respectfully requests withdrawal of the rejection of claim 10 and respectfully requests indication that claim 10 is allowable.

Finally, the Office Action provides that in claim 20 it is unclear what is meant by the phrase “said tabs ... are not pivoted to a non-flexible position with the tire.” Applicant amends claim 20 to clarify that the tabs are capable of being inserted into the tire and are not required to be pivoted to a non-flexible position within the tire to hold the front panel in a predetermined position. This is in contrast with U.S. Patent No. 3,141,252 to Mullen (see Response to Office Action of December 7, 2005). As stated in column 2, lines 51 through 63 of Mullen, the triangular easel is held in its supporting and locking position to firmly hold the lugs. The tabs, therefore, are pivoted to a non-flexible position within the tire. According to column 3, line 5 through 9 of Mullen, the final step of securing the sign to the tire requires folding the easel blank 20 to form the triangular easel 35 by the tab 36 being inserted through the slit 37. Applicant, therefore, respectfully requests withdrawal of the rejection and respectfully requests indication that claim 20 is allowable.

In light of the foregoing, Applicant respectfully requests withdrawal of the rejection of claims 1-7, 9, 10, and 14 respectfully requests indication that such claims are allowable. Therefore, Applicant submits that the application is in condition for allowance. Should the Examiner have any questions or comments regarding this case, the Examiner is encouraged to call undersigned counsel.

Respectfully submitted,

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